**Supporting Statement for**

**Training Plans, New Miner Training, Newly-Hired Experienced Miner Training Paperwork Reduction Act Submission**

This information collection request (ICR) seeks to extend, without change, a currently approved information collection.

**OMB Control Number:** 1219-0131

**Information Collection Request Title**: Training Plans, New Miner Training, Newly-Hired Experienced Miner Training

**Type of OMB Review:** Extension

**Authority:**

Part 46 - Training and Retraining of Miners Engaged in Shell Dredging or Employed at Sand, Gravel, Surface Stone, Surface Clay, Colloidal Phosphate, or Surface Limestone Mines

30 CFR 46.3 - Training plans

30 CFR 46.5 - New miner training

30 CFR 46.6 - Newly hired experienced miner training

30 CFR 46.7 - New task training

30 CFR 46.8 - Annual refresher training

30 CFR 46.9 - Records of Training

30 CFR 46.11 - Site-specific hazard awareness training

30 CFR 46.12 - Responsibility for independent contractor training.

**Collection Instrument(s):** Electronic Training Plan Advisor

**General Instructions**

**A Supporting Statement, including the text of the notice to the public required by 5 CFR 1320.5(a)(i)(iv) and its actual or estimated date of publication in the *Federal Register*, must accompany each request for approval of a collection of information. The Supporting Statement must be prepared in the format described below and must contain the information specified in Section A below. If an item is not applicable, provide a brief explanation. When the question “Does this ICR contain surveys, censuses or employ statistical methods” is checked "Yes", Section B of the Supporting Statement must be completed. OMB reserves the right to require the submission of additional information with respect to any request for approval.**

**Specific Instructions**

**A. Justification**

**1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.**

Section 103(h) of the Federal Mine Safety and Health Act of 1977 as amended (Mine Act), 30 U.S.C. 813(h), authorizes the Mine Safety and Health Administration (MSHA) to collect information necessary to carry out its duty in protecting the safety and health of miners. Further, section 101(a) of the Mine Act, 30 U.S.C. 811(a), authorizes the Secretary of Labor (Secretary) to develop, promulgate, and revise as may be appropriate, improved mandatory health or safety standards for the protection of life and prevention of injuries in coal, metal and nonmetal mines.

Section 2 of the Mine Act, 30 U.S.C. 801, recognizes that education and training is an important element of federal efforts to make the nation's mines safe. These provisions are intended to ensure that miners will be effectively trained in matters affecting their health and safety, with the ultimate goal of reducing the occurrence of injury and illness in the nation's mines.

In order to fulfill the statutory mandates to promote miners’ health and safety, MSHA requires the collection of information under the information collection request entitled Training Plans, New Miner Training, Newly-Hired Experienced Miner Training. The information collection is intended to ensure that mine operators possess appropriate training plans and maintain records of the mandatory requirements for training and retraining miners and other persons at shell dredging, sand, gravel, surface stone, surface clay, colloidal phosphate, or surface limestone mines.

1. **Training Plans**

Mine operators are required to develop and implement a written training plan for approval by MSHA, that contains effective programs for: training new miners and newly hired experienced miners, training miners for new tasks, annual refresher training, and site-specific hazard awareness training. Miners are better protected when receiving timely and complete training described in the operators’ written training plan.

Under 30 CFR 46.2(l), operators can be either a production-operator or an independent contractor whose employees perform services at a mine. A production-operator is defined as any owner, lessee, or other person who operates, controls, or supervises a mine (30 CFR 46.2(m)), and an independent contractor is any entity that contracts to perform services at a mine (30 CFR 46.2(e)).

Under 30 CFR 46.2(g), a miner is defined as any person, including any operator or supervisor, who works at a mine and is engaged in mining operations. This definition includes independent contractors and employees of independent contractors who are engaged in mining operations; and any construction worker who is exposed to hazards of mining operations. The definition of “miner” does not include scientific workers; delivery workers; customers (including commercial over-the-road truck drivers); vendors; or visitors. This definition also does not include maintenance or service workers who do not work at a mine site for frequent or extended periods. Following are information collection requirements at each step of the development of a training plan.

**I-1.** **Develop Training Plans**

Under 30 CFR 46.3(a), the operator must develop and implement a written plan, approved by MSHA, that contains effective programs for training new miners and newly hired experienced miners, training miners for new tasks, annual refresher training, and site-specific hazard awareness training.

The approval process is described in 30 CFR 46.3(b) through (i). Under 30 CFR 46.3(b), a training plan is considered approved by MSHA if it contains, at a minimum, the following information:

(1) The name of the production-operator or independent contractor, mine name(s), and MSHA mine identification number(s) or independent contractor identification number(s);

(2) The name and position of the person designated by the operator who is responsible for the health and safety training at the mine;

(3) A general description of the teaching methods and the course materials that are to be used in the training program, including the subject areas to be covered and the approximate time or range of time to be spent on each subject area;

(4) A list of the persons and/or organizations who will provide the training, and the subject areas in which each person and/or organization is competent to instruct; and

(5) The evaluation procedures used to determine the effectiveness of training.

**I-2.** **Submit Proposed Training Plans to MSHA and Notify Miners or Miners’ Representatives**

Under 30 CFR 46.3(c), a plan that does not include the minimum information specified in 30 CFR 46.3(b) must be submitted to and approved by the Regional Manager, Educational Field Services Division, or designee, for the region in which the mine is located. The operator also may voluntarily submit a plan for Regional Manager approval. The operator must notify miners or their representatives when they submit a plan for Regional Manager approval. Within two weeks of receipt or posting of the plan, miners and their representatives may also request review and approval of the plan by the Regional Manager and must notify the operator of such request.

**I-3.** **Provide Proposed Training Plans to Miners or Miners’ Representatives**

Under 30 CFR 46.3(d), the operator must provide the miners' representative, if any, with a copy of the plan at least 2 weeks before the plan is implemented or, if they request MSHA approval of the plan, at least two weeks before they submit the plan to the Regional Manager for approval. At mines where no miners' representative has been designated, the operator must post a copy of the plan at the mine or provide a copy to each miner at least 2 weeks before they implement the plan or submit it to the Regional Manager for approval.

**I-4.** **Miners or Miners’ Representatives Submit Written Comments on Training Plans**

Under 30 CFR 46.3(e), within 2 weeks following the receipt or posting of the training plan provided to the miners or their representatives under 30 CFR 46.3(d), miners or their representatives may submit written comments on the plan to the operator, or to the Regional Manager, as appropriate.

**I-5.** **Provide Approved Training Plans to Miners or Miners’ Representatives**

Under 30 CFR 46.3(g), the operator must provide the miners' representative, if any, with a copy of the approved plan within one week after approval. At mines where no miners' representative has been designated, the operator must post a copy of the plan at the mine or provide a copy to each miner within one week after approval.

**I-6.** **Submit Appeals for MSHA Decision**

Under 30 CFR 46.3(h), if the operator, miners, or miners' representatives wish to appeal a decision of the Regional Manager, the operator must send the appeal, in writing, to the Director for Educational Policy and Development within 30 calendar days after notification of the Regional Manager's decision. The Director will issue a final decision of the Agency within 30 calendar days after receipt of the appeal.

**I-7.** **Make Training Plans Available for Inspection and Examination**

Under 30 CFR 46.3(i), the operator must make available at the mine a copy of the current training plan for inspection by MSHA and for examination by miners and their representatives. If the training plan is not maintained at the mine, the operator must have the capability to provide the plan within one business day upon request by MSHA, miners, or their representatives.

1. **Training Records**

Mine operators are required to conduct the following mandatory training: training new miners, training newly hired experienced miners, training miners for new tasks, annual refresher training, and site-specific hazard awareness training. The operators are required to make a record of and certify each type of training records. The discussion below is organized by the type of training records.

**II-1.** **New Miner Training**

Section 30 CFR 46.5 sets forth the provisions for the mandatory requirements for new miners training. Under 30 CFR 46.2(i), new miner means a person who is beginning employment as a miner with a mine operator and who is not an experienced miner.

Under 30 CFR 46.5(a), the operator must provide each new miner with no less than 24 hours of training as prescribed by:

1. 30 CFR 46.5(b): Training before a new miner begins work at the mine, such as an introduction to the work environment and instruction on the recognition and avoidance of electrical hazards and other hazards present at the mine;
2. 30 CFR 46.5(c): Training no later than 60 calendar days after a new miner begins work at the mine, such as an instruction and demonstration on the use, care, and maintenance of self-rescue and respiratory devices, if used at the mine and a review of first aid methods; and
3. 30 CFR 46.5(d): Training no later than 90 calendar days after a new miner begins work at the mine on any other subjects that promote occupational health and safety for miners at the mine.

Miners who have not received the full 24 hours of new miner training must work where an experienced miner can observe that the new miner is performing his or her work in a safe and healthful manner.

Under 30 CFR 46.9(c)(1), the operator must make a record for new miner training, no later than:

1. when the miner begins work at the mine as required under [30 CF 46.5(b)](https://www.ecfr.gov/current/title-30/section-46.5#p-46.5(b));
2. 60 calendar days after the miner begins work at the mine as required under 30 CFR 46.5(c); and
3. 90 calendar days after the miner begins work at the mine as required under 30 CFR 46.5(d), if applicable.

Under 30 CFR 46.9(d)(1), the operator must ensure that all records of training are certified by the person designated in the MSHA-approved training plan and a copy provided to the miner upon completion of the 24 hours of new miner training.

**II-2.** **Newly Hired Experienced Miner Training**

Section 30 CFR 46.6 sets forth the provisions for the mandatory requirements for newly hired experienced miners training. Under 30 CFR 46.2(j), newly hired experienced miner means an experienced miner who is beginning employment with a mine operator. Experienced miners are a person who has completed 24 hours of new miner training and who has at least 12 cumulative months of surface mining or equivalent experience. Experienced miners who move from one mine to another, such as drillers and blasters, but who remain employed by the same operator are not considered newly hired experienced miners.

Under 30 CFR 46.6(a), the operator must provide each newly hired experienced miner with trainings as prescribed by:

1. 30 CFR 46.6(b): Training before a newly hired experienced miner begins work at the mine, such as an introduction to the work environment and instruction on the recognition and avoidance of electrical hazards and other hazards present at the mine; and
2. 30 CFR 46.6(c): Training no later than 60 calendar days after a newly hired experienced miner begins work at the mine, such as an instruction and demonstration on the use, care, and maintenance of self-rescue and respiratory devices, if used at the mine.

Under 30 CFR 46.9(c)(2), the operator must make a record for newly hired experienced miner training, no later than:

1. when the miner begins work at the mine as required under 30 CFR 46.6(b); and
2. 60 calendar days after the miner begins work at the mine under 30 CFR 46.6(c).

Under 30 CFR 46.9(d)(2), the operator must ensure that all records of training are certified by the person designated in the MSHA-approved training plan and a copy provided to the miner upon completion of newly hired experienced miner training.

**II-3.** **New Task Training**

Section 30 CFR 46.7 sets forth the provisions for the mandatory requirements for new task training.

New Task Training - Reassigned Tasks

Under 30 CFR 46.7(a), the operator must provide to any miner that is reassigned to a new task in which he or she has no previous work experience with training in the health and safety aspects of the task to be assigned, including the safe work procedures of such task, information about the physical and health hazards of chemicals in the miner's work area, the protective measures a miner can take against these hazards, and the contents of the mine's HazCom program. This training must be provided before the miner performs the new task.

New Task Training – Changes in Assigned Tasks

Under 30 CFR 46.7(b), if a change occurs in a miner’s assigned task that affect the health and safety risks encountered by the miner, the operator must provide the miner with new task training that addresses the change.

Under 30 CFR 46.9(c)(3), the operator must make a record upon completion of new task training.

Under 30 CFR 46.9(d)(3), the operator must ensure that all records of training are certified by the person designated in the MSHA-approved training plan and a copy provided to the miner at least once every 12 months for new task training, or upon request by the miner, if applicable.

**II-4.** **Annual Refresher Training**

Section 30 CFR 46.8 sets forth the provisions for the mandatory requirements for new miners training.

Under 30 CFR 46.8(a), the operator must provide each miner with no less than 8 hours of annual refresher training:

1. No later than 12 months after miner begins working at the mine; and
2. Thereafter no later than 12 months after the previous annual fresher training.

Under 30 CFR 46.8(b), the refresher training must include instruction on any changes at the mine that could adversely affect the miner’s health and safety.

Under 30 CFR 46.8(c), refresher training must also address other health and safety subjects that are relevant to mining operations at the mine. Recommended subjects include applicable health and safety requirements; information about the physical and health hazards of chemicals in the miner’s work area; and water hazards, pits, and spoil banks.

Under 30 CFR 46.9(c)(4), the operator must make a record after each session of annual refresher training.

Under 30 CFR 46.9(d)(4), the operator must ensure that all records of training are certified by the person designated in the MSHA-approved training plan and a copy provided to the miner upon completion of the 8 hours of annual refresher training.

**II-5.** **Site-specific Hazard Awareness Training**

Section 30 CFR 46.11 sets forth the provisions for the mandatory requirements for site-specific hazard awareness training.

Under 30 CFR 46.11(a), the operator must provide site-specific hazard awareness training before any person specified in 30 CFR 46.11(b) and (c) is exposed to mine hazards.

Under 30 CFR 46.11(b), the operator must provide site-specific hazard awareness training, as appropriate, to any person who is not a miner but is presented at a mine site, including:

1. Office or staff personnel;
2. Scientific workers;
3. Delivery workers;
4. Customers, including commercial over-the-road truck drivers;
5. Construction workers or employees of independent contractors who are not miners;
6. Maintenance or service workers who do not work at the mine site for frequent or extended periods; and
7. Vendors or visitors.

Under 30 CFR 46.11(c), the operator must provide miners, such as drillers or blasters, who move from one mine to another mine while remaining employed by the same mine operator with site-specific hazard awareness training for each mine.

Under 30 CFR 46.11(d), site-specific hazard awareness training is information or instructions on the hazards a person could be exposed to while at the mine, as well as applicable emergency procedures. The training must address site-specific health and safety risks, such as unique geologic or environmental conditions, recognition and avoidance of hazards such as electrical and powered-haulage hazards, traffic patterns and control, and restricted areas; and warning and evacuation signals, evacuation and emergency procedures, or other special safety procedures.

Under 30 CFR 46.11(e), the operator may provide site-specific hazard awareness training through the use of written hazard warnings, oral instruction, signs and posted warnings, walkaround training, or other appropriate means that alert persons to site-specific hazards at the mine.

Under 30 CFR 46.11(f), site-specific hazard awareness training is not required for any person who is accompanied at all times by an experienced miner who is familiar with hazards specific to the mine site.

Under 30 CFR 46.9(c)(5), the operator must make a record upon completion by miners of site-specific hazard awareness training.

Under 30 CFR 46.9(d)(5), the operator must ensure that all records of training are certified by the person designated in the MSHA-approved training plan and a copy provided to the miner upon completion by miners of site-specific hazard awareness training.

**II-6.** **Independent Contractor Training**

Under 30 CFR 46.12(a), the production-operator has primary responsibility for ensuring that site-specific hazard awareness training is given to employees of independent contractors who are required to receive such training under 30 CFR 46.11. Each production-operator must provide information to each independent contractor who employs a person at the mine on site-specific mine hazards and the obligation of the contractor to comply with the regulations, including the requirements of 30 CFR part 46.

Under 30 CFR 46.12(b), independent contractors who employ a miner at the mine has primary responsibility for complying with 30 CFR 46.3 through 46.10, including providing new miner training, newly hired experienced miner training, new task training, and annual refresher training. The independent contractor must inform the production-operator of any hazards of which the contractor is aware that may be created by the performance of the contractor's work at the mine.

**II-7.** **Training Records**

Under 30 CFR 46.9, the operator must make a record of and certify each type of training detailed below to document that each miner has received their required training.

Under 30 CFR 46.9(a), the operator must make a record of and certify on MSHA Form 5000-23 that each miner has received the training required in 30 CFR 46. The operator can, but is not required to, record the miner’s training on MSHA Form 5000-23, Certificate of Training. MSHA Form 5000-23 is the mandatory approved form for Part 48 training associated with information collection request under OMB Control Number 1219-0009.

Alternatively, the operator can record and certify on a form that contains the following information listed in 30 CFR 46.9(b), including:

(1) The printed full name of the person trained;

(2) The type of training, the duration of the training, the date the training was received, the name of the competent person who provided the training:;

(3) The name of the mine or independent contractor, MSHA mine identification number or independent contractor identification number, and location of training (if an institution, the name and address of the institution).);

(4) The statement, “False certification is punishable under section 110(a) and (f) of the Federal Mine Safety and Health Act,” printed in bold letters and in a conspicuous manner; and

(5) A statement signed by the person designated in the MSHA-approved training plan for the mine as responsible for health and safety training, that states “I certify that the above training has been completed.”

Under 30 CFR 46.9(f), when a miner leaves the operator’s employment, the operator must provide each miner with a copy of his or her training records and certificates upon request.

Under 30 CFR 46.9(g), the operator must make available at the mine a copy of each miner's training records and certificates for inspection by MSHA and for examination by miners and their representatives. If training certificates are not maintained at the mine, the operator must be able to provide the certificates upon request to MSHA, miners, or their representatives.

Under 30 CFR 46.9(h), the operator must maintain copies of training certificates and training records for each currently employed miner during his or her employment, except for records and certificates of annual refresher training which must be maintained for only two years. The operator must maintain copies of training certificates and training records for at least 60 calendar days after a miner terminates employment.

Under 30 CFR 46.9(i), the operator is not required to make records of site-specific hazard awareness training to persons who are not miners. However, the operator, must be able to provide evidence to MSHA, upon request, that the training was provided, such as the training materials that are used; copies of written information distributed to persons upon their arrival at the mine, or visitor log books that indicate that training has been provided.

The information collection request under a currently approved OMB Control Number 1219-0009, Certificate of Training, covers the mandatory requirements for submitting and obtaining approval of programs for training and retraining miners working in underground mines (30 CFR Part 48 Subpart A). The request also covers similar requirements for miners working at surface mines and surface areas of underground mines (30 CFR Part 48 Subpart B). That information collection request under does not apply to training and retraining of miners at shell dredging, sand, gravel, surface stone, surface clay, colloidal phosphate, and surface limestone mines. The provisions of 30 CFR Part 46 set forth the mandatory requirements for training and retraining miners and other persons for these miners.

**2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.**

The records assist mine operators, MSHA, and miners to ensure that miners will be effectively trained in matters affecting their health and safety, with the ultimate goal of reducing the occurrence of injury and illness in the nation's mines. They allow the operators to show that miners received the required training. MSHA inspectors use the records to determine that training required by the regulations has been provided. Miners are better protected when receiving timely and complete training described in operators’ written training plan.

**3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.**

Training plans required by 30 CFR 46.3 may include narratives, descriptions, lists and tables. The plans can be submitted via email or facsimile. Additionally, MSHA provides an electronic on-line system (MSHA Electronic Training Plan Advisor) for operators to prepare and submit training plans through the internet. This system has been available for Part 46 mining operations since September 2000. This is an optional method for the mining industry to prepare and file required training plans. The design of this system increases the likelihood that the plan will be complete. MSHA estimates the percentage of respondents reporting electronically to be 50 percent. This system is maintained on Department of Labor servers, and is accessed through MSHA's website at <http://www.msha.gov>, “Compliance and Enforcement ,” then “Forms and Online Filing,” then selecting “Electronic Training Plan Advisor” or directly at <https://www.msha.gov/training/developing-training-plan/electronic-training-plan-advisor>.

**4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.**

No similar or duplicate information is available or submitted to MSHA.

**5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.**

The information collection provisions apply to all mine operations, both large and small. Congress intended that the Secretary enforce the law at all mining operations within the Agency’s jurisdiction regardless of size and that information collection and recordkeeping requirements be consistent with efficient and effective enforcement of the Mine Act. [S. Rep. No. 95-181, 28 (1977)]. Section 103(e) of the Mine Act, 30 U.S.C. 813(e), directs the Secretary not to impose an unreasonable burden on small businesses when obtaining any information under the Mine Act. MSHA considered the burden on small mines when developing the collection. Hence, MSHA believes that these information collection requirements are imposed on all mining operations and do not have a significant impact on a substantial number of small business or other small entities.

**6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.**

MSHA believes that these information collection requirements are the minimum necessary to ensure that miners receive the required training. Reduction in these requirements may result in miners being unaware of unsafe and unhealthful conditions in the mine and failing to take appropriate measures, thus, jeopardizing their lives.

**7. Explain any special circumstances that would cause an information collection to be conducted in a manner:**

* **Requiring respondents to report information to the agency more often than quarterly;**
* **Requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**
* **Requiring respondents to submit more than an original and two copies of any document;**
* **Requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;**
* **In connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;**
* **Requiring the use of a statistical data classification that has not been reviewed and approved by OMB;**
* **That includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or**
* **Requiring respondents to submit proprietary trade secret, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.**

This collection of information is consistent with the guidelines in 5 CFR 1320.5.

**8. If applicable, provide a copy and identify the data and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.**

**Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.**

**Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years - even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.**

In accordance with 5 CFR 1320.8(d), MSHA will publish the proposed information collection requirements in the Federal Register, notifying the public that these information collection requirements are being reviewed in accordance with the Paperwork Reduction Act of 1995, and providing 60 days for the public to submit comments. MSHA published a 60-day Federal Register notice on November 12, 2024 (89 FR 89045). MSHA received no comments.

**9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.**

MSHA does not provide payments or gifts to respondents.

**10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.**

There is no assurance of confidentiality provided to respondents; however, the records that are submitted to MSHA are covered by a Privacy Act Systems of Records Notice (SORN), DOL/MSHA-1, Mine Safety and Health Administration Standardized Information System (MSIS) (81 FR 25766) published on April 29, 2016. The records are stored in locked file cabinets and are accessible only to authorized personnel during working hours.

**11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.**

There are no questions of a sensitive nature.

**12. Provide estimates of the hour burden of the collection of information. The statement should:**

* **Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.**
* **If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens.**
* **Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included under Item 13.**

**Respondents**

All information related to quantities and inspection rates are estimated by MSHA’s Headquarters Enforcement Division from 2023 data based on field experience with different types of mining operations, sizes of mines, and the frequency of inspections dictated by statute. The operator provides MSHA Headquarters Enforcement Division the number of mines and employment, and from this information, MSHA tracks the number of active and inactive mines and mine types throughout the United States.

Based on MSHA’s internal data from 2023, MSHA estimates that 10,872 mines are subject to this information collection: 5,916 mines employing 1-5 miners per mine, 3,633 mines employing 6-19 miners per mine, and 1,323 mines employing 20 or more miners per mine.

While the provisions covered by this ICR apply to both production-operators (i.e., those that operate the mines) and independent contractors, the production-operators are ultimately responsible for compliance, as discussed above. Therefore, MSHA assumes that the recordkeeping requirements relating to training plans and will be carried out by the production-operators.

**Wage Rates Determinations[[1]](#footnote-3)**

MSHA used data from the May 2023 Occupational Employment and Wage Statistics (OEWS) published by the Bureau of Labor Statistics (BLS) for hourly wage rates[[2]](#footnote-4) and adjusted the rate for benefits,[[3]](#footnote-5) wage inflation,[[4]](#footnote-6) and overhead costs.[[5]](#footnote-7) The occupations listed below in Table 12-1 are those that were determined to be relevant for the cost calculations.

Table 12-1. Hourly Wage Rates

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Occupation** | **NAICS Code** | **Average Wage Rate** | **Benefit Multiplier** | **Inflation Multiplier** | **Overhead Cost Multiplier** | **Loaded Hourly Wage Rate** |
|  |  | **A** | **B** | **C** | **D** | **A x B x C x D** |
| Mine supervisor [a] | 212300 | $38.05 | 1.465 | 1.027 | 1.01 | $57.83 |
| Clerk [b] | 212300 | $22.96 | 1.465 | 1.027 | 1.01 | $34.89 |
| Miner [c] | 212300 | $25.61 | 1.465 | 1.027 | 1.01 | $38.92 |

Notes: MSHA uses the latest 4-quarter moving average 2023Q2-2024Q1 to determine that 31.8 percent of total loaded wages are benefits for private industry workers in construction, extraction, farming, fishing, and forestry occupations. The benefit multiplier is 1.465= 1 + (0.318/(1-0.318)). The inflation multiplier is determined by using the employment price index from the most current quarter, 2024Q1, divided by the base year and quarter of the OEWS employment and wage statistics, 2023Q2, for private industry workers in construction, extraction, farming, fishing, and forestry occupations, current dollar index. The inflation multiplier is 1.027 = 161.6/157.3. MSHA used the overhead multiplier of 1.01.

[a] The Standard Occupation Codes (SOC) used for this occupation are (47-1011), (49-1011), and (51-1011).

[b] The SOCs used for this occupation are (43-3021), (43-3031), (43-3051), (43-3061), (43-4171), (43-5061), (43-5071), and (43-9061).

[c] The SOCs used for this occupation are (47-5022), (47-5041), (47-5043), (47-5081), (49-3031), (49-9043), (49-9071), (49-9098), (51-9021), and (53-7011).

**Hours Burden**

1. **Training Plans**

**I-1. Develop Training Plans**

Under 30 CFR 46.3(a), the operator must develop and implement a written plan, approved by MSHA under either 46.3(b) or (c), that contains effective programs for training new miners and newly hired experienced miners, training miners for new tasks, annual refresher training, and site-specific hazard awareness training.

MSHA estimates that, of the 10,872 affected mines covered by this ICR, 30 percent (or 3,260 mines) will develop or revise training plans annually. Of these 3,260 mines, there are 2,864 plans for mines employing 1 to 19 miners and 396 plans for mines employing 20 or more miners. Of the number of training plans in each mine size category that will be developed or revised, MSHA estimates that 50 percent will be submitted electronically (on-line e-plans).

MSHA estimates that a supervisor, earning $57.83 per hour, takes 2 hours to develop or revise a training plan on paper for mines employing fewer than 20 miners, and 4 hours for mines employing 20 or more miners. MSHA further estimates that the time to develop or revise a plan will be reduced by 50 percent if submitted electronically.

Table 12-2. Estimated Annual Respondent Hour and Cost Burden, Develop Training Plans (30 CFR 46.3(a))

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Activity (Occupation)** | **Number of Respondents (Mines)** | **Number of Responses per Respondent** | **Total Responses (Plans)** | **Average Burden (Hours)** | **Total Burden (Hours)** | **Hourly Wage Rate** | **Total Burden Cost** |
| *Develop training plans on paper (Mine supervisor)* | | | | | | | |
| 1-19 miners | 4,775 | 0.3 | 1,432 | 2 | 2,864.00 | $57.83 | $165,625.12 |
| 20+ miners | 662 | 0.3 | 198 | 4 | 792.00 | $57.83 | $45,801.36 |
| *Develop training plans electronically (Mine supervisor)* | | | | | | | |
| 1-19 miners | 4,775 | 0.3 | 1,432 | 1 | 1,432.00 | $57.83 | $82,812.56 |
| 20+ miners | 662 | 0.3 | 198 | 2 | 396.00 | $57.83 | $22,900.68 |
| ***Subtotal (Rounded)*** | ***10,872*** |  | ***3,260*** |  | ***5,484*** |  | ***$317,140*** |

**I-2. Submit Proposed Training Plans to MSHA** **and Notify Miners or Miners’ Representatives**

Under 30 CFR 46.3(c), a plan that does not include the minimum information specified in paragraphs (b)(1) through (b)(5) must be submitted by operators to and approved by the Regional Manager, Educational Field Services Division, or designee, for the region in which the mine is located. The operator may also voluntarily submit a plan for Regional Manager approval. The operator must notify miners or their representatives when the plan is submitted for Regional Manager approval.

Within two weeks of receipt or posting of the plan, miners and their representatives may also request review and approval of the plan by the Regional Manager and must notify the operator of such request. Based on MSHA’s experience, no miners or their representatives will request MSHA’s review of proposed plans.

MSHA estimates that, of the 10,872 affected mines covered by this information collection package, 130 mines submitted developed plans to MSHA annually under 30 CFR 46.3(c). Nearly all proposed training plans have been received electronically since the COVID-19 pandemic. All plans that did not include the minimum information were submitted electronically, which incurs de minimis burden hours or costs. MSHA expects this trend of electronic submissions to continue and estimates that about 10 percent of the 130 mines (13) over the next approval period will be mailed.

MSHA estimates that a clerical worker, earning $34.89 per hour, takes about 12 minutes to copy and mail a proposed training plan to MSHA and to notify miners or a miners’ representative by posting the plan at the mine.

Table 12-3. Estimated Annual Respondent Hour and Cost Burden, Submit Proposed Training Plans to MSHA and Notify Miners or Miners’ Representative (30 CFR 46.3(c))

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Activity (Occupation)** | **Number of Respondents (Mines)** | **Number of Responses per Respondent** | **Total Responses (Proposed Plans)** | **Average Burden (Hours)** | **Total Burden (Hours)** | **Hourly Wage Rate** | **Total Burden Cost** |
| Submit plans to MSHA (Clerk) | 130 | 0.1 | 13 | 0.2 | 2.60 | $34.89 | $90.71 |
| ***Subtotal (Rounded)*** | ***130*** |  | ***13*** |  | ***3*** |  | ***$91*** |

**I-3. Provide Proposed Training Plans to Miners or Miners’ Representatives**

Under 30 CFR 46.3(d), the operator must provide the miners' representative, if any, with a copy of the plan at least 2 weeks before the plan is implemented or submitted to the Regional Manager for approval. At mines where no miners' representative has been designated, the operator must post a copy of the plan at the mine or provide a copy to each miner at least 2 weeks before the plan is implemented or submitted to the Regional Manager for approval.

MSHA assumes that one copy will be provided in each of the 3,260 mines that develop or revise proposed training plans annually. MSHA estimates that a clerical worker, earning $34.89 per hour, takes 6 minutes to photocopy the plan and post the plan.

Table 12-4. Estimated Annual Respondent Hour and Cost Burden, Provide Proposed Training Plans to Miners or Miners’ Representatives (30 CFR 46.3(d))

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Activity (Occupation)** | **Number of Respondents (Mines)** | **Number of Responses per Respondent** | **Total Responses (Plans Posted)** | **Average Burden (Hours)** | **Total Burden (Hours)** | **Hourly Wage Rate** | **Total Burden Cost** |
| Provide plans (Clerk) | 3,260 | 1 | 3,260 | 0.1 | 326.00 | $34.89 | $11,374.14 |
| ***Subtotal (Rounded)*** | ***3,260*** |  | ***3,260*** |  | ***326*** |  | ***$11,374*** |

**I-4. Miners or Miners’ Representatives Submit** **Written Comments on Training Plans**

Under 30 CFR 46.3(e), miners or their representatives may submit written comments on the plan to the operator or to the Regional Manager, as appropriate, within 2 weeks following the receipt or posting of the training plan under 30 CFR 46.3(d).

Over the last 3 years, MSHA has not received any written comments. In order to recognize that this may occur in the future, MSHA estimates that it could receive one written comment per year from one mine. MSHA estimates that a miner or miners' representative, earning $38.92 per hour, would take 2 hours per affected mine to prepare written comments.

Table 12-5. Estimated Annual Respondent Hour and Cost Burden, Miners or Miners’ Representatives Submit Written Comments on Training Plans (30 CFR 46.3(e))

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Activity (Occupation)** | **Number of Respondents (Mines)** | **Number of Responses per Respondent** | **Total Responses (Plans Posted)** | **Average Burden (Hours)** | **Total Burden (Hours)** | **Hourly Wage Rate** | **Total Burden Cost** |
| Submit comments (Miner) | 1 | 1 | 1 | 2 | 2.00 | $38.92 | $77.84 |
| ***Subtotal (Rounded)*** | ***1*** |  | ***1*** |  | ***2*** |  | ***$78*** |

**I-5. Provide Approved Training Plans to Miners or Miners’ Representatives**

Under 30 CFR 46.3(g), the operator must provide the miners' representative, if any, with a copy of the approved plan within one week after approval. At mines where no miners' representative has been designated, the operator must post a copy of the plan at the mine or provide a copy to each miner within one week after approval.

The mines affected by this provision are those that submit plans to MSHA for approval under 30 CFR 46.3(c). MSHA estimates that operators submit 130 training plans to MSHA for approval under 30 CFR 46.3(c) and that all of these plans are approved. On average, a clerical worker, earning $34.89 per hour, is estimated to take 6 minutes to make one copy and either post the approved training plan at mines with no miners’ representatives or deliver a copy to the miners’ representative.

Table 12-6. Estimated Annual Respondent Hour and Cost Burden, Provide Approved Training Plans to Miners or Miners’ Representatives (30 CFR 46.3(g))

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Activity (Occupation)** | **Number of Respondents (Mines)** | **Number of Responses per Respondent** | **Total Responses (Plans)** | **Average Burden (Hours)** | **Total Burden (Hours)** | **Hourly Wage Rate** | **Total Burden Cost** |
| Provide approved plans (Clerk) | 130 | 1 | 130 | 0.1 | 13.00 | $34.89 | $453.57 |
| ***Subtotal (Rounded)*** | ***130*** |  | ***130*** |  | ***13*** |  | ***$454*** |

**I-6. Submit Appeals for MSHA Decision**

Under 30 CFR 46.3(h), the operator, miners, or miners' representatives who wish to appeal a decision of the Regional Manager must send the appeal, in writing, to the Director for Educational Policy and Development within 30 calendar days after notification of the Regional Manager's decision. The Director will issue a final decision of the Agency within 30 calendar days after receipt of the appeal.

Over the last 3 years, MSHA has not received any appeals. In order to recognize that this may occur in the future, MSHA estimates that it could receive one appeal per year from a mine. MSHA estimates that a mine supervisor, earning $57.83 per hour, would take 4 hours to write the appeal.

Table 12-7. Estimated Annual Respondent Hour and Cost Burden, Submit Appeals for MSHA Decision (30 CFR 46.3(h))

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Activity (Occupation)** | **Number of Respondents (Mines)** | **Number of Responses per Respondent** | **Total Responses (Appeals)** | **Average Burden (Hours)** | **Total Burden (Hours)** | **Hourly Wage Rate** | **Total Burden Cost** |
| Submit appeals (Mine supervisor) | 1 | 1 | 1 | 4 | 4.00 | $57.83 | $231.32 |
| ***Subtotal (Rounded)*** | ***1*** |  | ***1*** |  | ***4*** |  | ***$231*** |

**I-7. Make Training Plans Available for Inspection and Examination**

Under 30 CFR 46.3(i), the operator must make available at the mine a copy of the current training plan for inspection by MSHA and for examination by miners and their representatives. If the training plan is not maintained at the mine, the operator must have the capability to provide the plan within one business day upon request by MSHA, miners, or their representatives.

MSHA estimates that all 10,872 mines covered by Part 46 would need to make plans available for inspection or examination, on average, once annually. MSHA estimates that a clerical worker, earning $34.89 per hour, would take 6 minutes to retrieve, photocopy, and re-file the training plan.

Table 12-8. Estimated Annual Respondent Hour and Cost Burden, Make Training Plans Available for Inspection and Examination (30 CFR 46.3(i))

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Activity (Occupation)** | **Number of Respondents (Mines)** | **Number of Responses per Respondent** | **Total Responses (Plans)** | **Average Burden (Hours)** | **Total Burden (Hours)** | **Hourly Wage Rate** | **Total Burden Cost** |
| Provide copies (Clerk) | 10,872 | 1 | 10,872 | 0.1 | 1,087.20 | $34.89 | $37,932.41 |
| ***Subtotal (Rounded)*** | ***10,872*** |  | ***10,872*** |  | ***1,087*** |  | ***$37,932*** |

1. **Training Records**

**II-1. New Miner Training**

Under 30 CFR 46.5(a), the operator must provide each new miner with no less than 24 hours of training as prescribed by paragraphs (b), (c), and (d). Miners who have not yet received the full 24 hours of new miner training must work where an experienced miner can observe that the new miner is performing his or her work in a safe and healthful manner.

New miner training - onsite training

MSHA assumes that not all mines will need to provide new miner training each year. MSHA estimates that of the 10,872 affected mines covered by this information collection package, 1,956 mines provided onsite training under this provision: 1,780 mines that employ 1 to 19 miners and 176 mines that employ 20 or more miners.

New miner training - offsite training

Additionally, MSHA estimates that part of new miner training would be provided offsite by a third party. An operator would pay the third party for providing this part of the new miner training. MSHA estimates that 37 percent (4,023) of mines provided offsite training under this provision: 3,533 mines that employ 1 to 19 miners and 490 mines that employ 20 or more miners.

MSHA assumes that the average number of training sessions the mine supervisor would provide annually is: 1 session for mines that employ 1 to 19 miners and 3 sessions for mines that employ 20 or more miners.

MSHA estimates that, for each mine, a mine supervisor, earning $57.83 per hour, takes 5 minutes to record and certify training records for each session. In addition, MSHA estimates that it takes a clerical worker, earning $34.89 per hour, 3 minutes to copy and distribute the certificates for each training session.

Table 12-9. Estimated Annual Respondent Hour and Cost Burden, New Miner Training (30 CFR 46.5(a))

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Activity (Occupation)** | **Number of Respondents (Mines)** | **Number of Responses per Respondent** | **Total Responses (Sessions)** | **Average Burden (Hours)** | **Total Burden (Hours)** | **Hourly Wage Rate** | **Total Burden Cost** |
| *Onsite training records (Mine supervisor)* | | | | | | | |
| 1-19 miners | 1,780 | 1 | 1,780 | 0.08 | 148.33 | $57.83 | $8,578.12 |
| 20+ miners | 176 | 3 | 528 | 0.08 | 44.00 | $57.83 | $2,544.52 |
| *Onsite training records (Clerk)* | | | | | | | |
| 1-19 miners | 1,780 | 1 | 1,780 | 0.05 | 89.00 | $34.89 | $3,105.21 |
| 20+ miners | 176 | 3 | 528 | 0.05 | 26.40 | $34.89 | $921.10 |
| *Offsite training records (Mine supervisor)* | | | | | | | |
| 1-19 miners | 3,533 | 1 | 3,533 | 0.08 | 294.42 | $57.83 | $17,026.12 |
| 20+ miners | 490 | 3 | 1,469 | 0.08 | 122.42 | $57.83 | $7,079.36 |
| *Offsite training records (Clerk)* | | | | | | | |
| 1-19 miners | 3,533 | 1 | 3,533 | 0.05 | 176.65 | $34.89 | $6,163.32 |
| 20+ miners | 490 | 3 | 1,469 | 0.05 | 73.45 | $34.89 | $2,562.67 |
| ***Subtotal (Rounded)*** | ***5,979*** |  | ***14,620*** |  | ***975*** |  | ***$47,980*** |

Note: The total number of respondents do not correspond to the sum of respondents from each cost item because the same respondents carry out both activities.

**II-2. Newly Hired Experienced Miner Training**

Under 30 CFR 46.6(a), the operator must provide each newly hired experienced miner with training as prescribed by paragraphs (b) and (c).

MSHA estimates that, of the 10,872 affected mines covered by this information collection package, 6,087 mines will provide training under this provision. The mines affected annually by this provision in each size category are: 3,314 mines that employ 1 to 5 miners; 2,034 mines that employ 6 to 19 miners; and 739 mines that employ 20 or more miners.

For each size category, MSHA estimates that the average number of training sessions the mine supervisor would provide annually is: 1 session for mines that employ 1 to 5 miners; 2 sessions for mines that employ 6 to 19 miners; and 4 sessions for mines that employ 20 or more miners.

MSHA estimates that, for each mine, a mine supervisor, earning $57.83 per hour, takes 5 minutes to record and certify training records for each session. In addition, MSHA estimates that it takes a clerical worker, earning $34.89 per hour, 3 minutes to copy and distribute the certificates for each training session.

Table 12-10. Estimated Annual Respondent Hour and Cost Burden, Newly Hired Experienced Miner Training (30 CFR 46.6(a))

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Activity (Occupation)** | **Number of Respondents (Mines)** | **Number of Responses per Respondent** | **Total Responses (Sessions)** | **Average Burden (Hours)** | **Total Burden (Hours)** | **Hourly Wage Rate** | **Total Burden Cost** |
| *Training records (Mine supervisor)* | | | | | | | |
| 1-5 miners | 3,314 | 1 | 3,314 | 0.08 | 276.17 | $57.83 | $15,970.72 |
| 6-19 miners | 2,034 | 2 | 4,068 | 0.08 | 339.00 | $57.83 | $19,604.37 |
| 20+ miners | 739 | 4 | 2,956 | 0.08 | 246.33 | $57.83 | $14,245.46 |
| *Training records (Clerk)* | | | | | | | |
| 1-5 miners | 3,314 | 1 | 3,314 | 0.05 | 165.70 | $34.89 | $5,781.27 |
| 6-19 miners | 2,034 | 2 | 4,068 | 0.05 | 203.40 | $34.89 | $7,096.63 |
| 20+ miners | 739 | 4 | 2,956 | 0.05 | 147.80 | $34.89 | $5,156.74 |
| ***Subtotal (Rounded)*** | ***6,087*** |  | ***20,676*** |  | ***1,378*** |  | ***$67,855*** |

Note: The total number of respondents do not correspond to the sum of respondents from each cost item because the same respondents carry out both activities.

**II-3. New Task Training**

New Task Training - Reassigned Tasks

Under 30 CFR 46.7(a), the operator must provide any miner who is reassigned to a new task in which he or she has no previous work experience with training in the health and safety aspects of the task to be assigned.

MSHA estimates that, of the 10,872 affected mines covered by this information collection package, 95 percent (or 10,328 mines) will provide training under this provision. The mines affected by this provision in each size category are: 5,620 mines that employ 1 to 5 miners; 3,451 mines that employ 6 to 19 miners; and 1,257 mines that employ 20 or more miners.

For each size category, the average number of training sessions that the mine supervisor will give annually per mine is: 5 sessions for mines that employ 1 to 5 miners; 10 sessions for mines that employ 6 to 19 miners; and 20 sessions for mines that employ 20 or more miners.

MSHA estimates that, for each mine, a mine supervisor, earning $57.83 per hour, takes 5 minutes to record and certify training records for each session. In addition, MSHA estimates that it takes a clerical worker, earning $34.89 per hour, 3 minutes to copy and distribute the certificates for each training session.

Table 12-11. Estimated Annual Respondent Hour and Cost Burden, New Task Training – Reassigned Tasks (30 CFR 46.7(a))

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Activity (Occupation)** | **Number of Respondents (Mines)** | **Number of Responses per Respondent** | **Total Responses (Sessions)** | **Average Burden (Hours)** | **Total Burden (Hours)** | **Hourly Wage Rate** | **Total Burden Cost** |
| *Training records (Mine supervisor)* | | | | | | | | |
| 1-5 miners | 5,620 | 5 | 28,100 | 0.08 | 2,341.67 | $57.83 | $135,418.58 |
| 6-19 miners | 3,451 | 10 | 34,510 | 0.08 | 2,875.83 | $57.83 | $166,309.44 |
| 20+ miners | 1,257 | 20 | 25,140 | 0.08 | 2,095.00 | $57.83 | $121,153.85 |
| *Training records (Clerk)* | | | | | | | | |
| 1-5 miners | 5,620 | 5 | 28,100 | 0.05 | 1,405.00 | $34.89 | $49,020.45 |
| 6-19 miners | 3,451 | 10 | 34,510 | 0.05 | 1,725.50 | $34.89 | $60,202.70 |
| 20+ miners | 1,257 | 20 | 25,140 | 0.05 | 1,257.00 | $34.89 | $43,856.73 |
| ***Subtotal (Rounded)*** | ***10,328*** |  | ***175.500*** |  | ***11,700*** |  | ***$575,962*** |

Note: The total number of respondents do not correspond to the sum of respondents from each cost item because the same respondents carry out both activities.

New Task Training – Changes in Assigned Tasks

Under 30 CFR 46.7(b), if a change occurs in a miner's assigned task that affects the health and safety risks encountered by the miner, the operator must provide the miner with training that addresses the change.

MSHA estimates that, of the 10,872 affected mines covered by this information collection package, 95 percent (or 10,328 mines) will provide training under this provision. The mines affected by this provision in each size category are: 5,620 mines that employ 1 to 5 miners; 3,451 mines that employ 6 to 19 miners; and 1,257 mines that employ 20 or more miners.

For each size category, the average number of training sessions that the mine supervisor will give annually per mine are: 5 sessions for mines that employ 1 to 5 miners; 10 sessions for mines that employ 6 to 19 miners; and 20 sessions for mines that employ 20 or more miners.

MSHA estimates that, for each mine, a mine supervisor, earning $57.83 per hour, takes 5 minutes to record and certify training records for each session. In addition, MSHA estimates that it takes a clerical worker, earning $34.89 per hour, 3 minutes to copy and distribute the certificates for each training session.

Table 12-12. Estimated Annual Respondent Hour and Cost Burden, New Task Training - Changes in Assigned Tasks (30 CFR 46.7(b))

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Activity (Occupation)** | **Number of Respondents (Mines)** | **Number of Responses per Respondent** | **Total Responses (Sessions)** | **Average Burden (Hours)** | **Total Burden (Hours)** | **Hourly Wage Rate** | **Total Burden Cost** |
| *Training records (Mine supervisor)* | | | | | | | |
| 1-5 miners | 5,620 | 5 | 28,100 | 0.08 | 2,341.67 | $57.83 | $135,418.58 |
| 6-19 miners | 3,451 | 10 | 34,510 | 0.08 | 2,875.83 | $57.83 | $166,309.44 |
| 20+ miners | 1,257 | 20 | 25,140 | 0.08 | 2,095.00 | $57.83 | $121,153.85 |
| *Training records (Clerk)* | | | | | | | |
| 1-5 miners | 5,620 | 5 | 28,100 | 0.05 | 1,405.00 | $34.89 | $49,020.45 |
| 6-19 miners | 3,451 | 10 | 34,510 | 0.05 | 1,725.50 | $34.89 | $60,202.70 |
| 20+ miners | 1,257 | 20 | 25,140 | 0.05 | 1,257.00 | $34.89 | $43,856.73 |
| ***Subtotal (Rounded)*** | ***10,328*** |  | ***175,500*** |  | ***11,700*** |  | ***$575,962*** |

Note: The total number of respondents do not correspond to the sum of respondents from each cost item because the same respondents carry out both activities.

**II-4. Annual Refresher Training**

Under 30 CFR 46.8(a), the operator must provide each miner with no less than 8 hours of annual refresher training no later than 12 months after the miner begins work at the mine and thereafter, no later than 12 months after the previous annual refresher training was completed.

The mines affected by this provision in each size category are: 9,549 mines that employ 1 to 19 miners and 1,323 mines that employ 20 or more miners.

For each size category, MSHA estimates that the average number of training sessions the mine supervisor would provide annually is: 1 session for mines that employ 1 to 19 miners and 2 sessions for mines that employ 20 or more miners.

MSHA estimates that, for each mine, a mine supervisor, earning $57.83 per hour, takes 5 minutes to record and certify training records for each session. In addition, MSHA estimates that it takes a clerical worker, earning $34.89 per hour, 3 minutes to copy and distribute the certificates for each training session.

Table 12-13. Estimated Annual Respondent Hour and Cost Burden, Annual Refresher Training (30 CFR 46.8(a))

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Activity (Occupation)** | **Number of Respondents (Mines)** | **Number of Responses per Respondent** | **Total Responses (Sessions)** | **Average Burden (Hours)** | **Total Burden (Hours)** | **Hourly Wage Rate** | **Total Burden Cost** |
| *Training records (Mine supervisor)* | | | | | | | |
| 1-19 miners | 9,549 | 1 | 9,549 | 0.08 | 795.75 | $57.83 | $46,018.22 |
| 20+ miners | 1,323 | 2 | 2,646 | 0.08 | 220.50 | $57.83 | $12,751.52 |
| *Training records (Clerk)* | | | | | | | |
| 1-19 miners | 9,549 | 1 | 9,549 | 0.05 | 477.45 | $34.89 | $16,658.23 |
| 20+ miners | 1,323 | 2 | 2,646 | 0.05 | 132.30 | $34.89 | $4,615.95 |
| ***Subtotal (Rounded)*** | ***10,872*** |  | ***24,390*** |  | ***1,626*** |  | ***$80,044*** |

Note: The total number of respondents do not correspond to the sum of respondents from each cost item because the same respondents carry out both activities.

**II-5. Site-specific Hazard Awareness Training**

Under 30 CFR 46.11, the operator must provide site-specific hazard awareness training before any person specified under this section is exposed to mine hazards.

For each mine-size category, MSHA estimates that the average number of training sessions the miner would provide annually per mine are: 50 sessions for mines that employ 1 to 5 miners, 100 sessions for mines that employ 6 to 19 miners, and 200 sessions for mines that employ 20 or more miners. The number of mines affected by this provision in each mine-size category is: 5,916 mines that employ 1 to 5 miners, 3,633 mines that employ 6 to 19 miners, and 1,323 mines that employ 20 or more miners.

MSHA estimates that, for each mine, a mine supervisor, earning $57.83 per hour, takes 5 minutes to record and certify training records for each session. In addition, MSHA estimates that it takes a clerical worker, earning $34.89 per hour, 3 minutes to copy and distribute the certificates for each training session.

Table 12-14. Estimated Annual Respondent Hour and Cost Burden, Site-specific Hazard Awareness Training (30 CFR 46.11)

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Activity (Occupation)** | **Number of Respondents (Mines)** | **Number of Responses per Respondent** | **Total Responses (Sessions)** | **Average Burden (Hours)** | **Total Burden (Hours)** | **Hourly Wage Rate** | **Total Burden Cost** |
| *Training records (Mine supervisor)* | | | | | | | |
| 1-5 miners | 5,916 | 50 | 295,800 | 0.08 | 24,650.00 | $57.83 | $1,425,509.50 |
| 6-19 miners | 3,633 | 100 | 363,300 | 0.08 | 30,275.00 | $57.83 | $1,750,803.25 |
| 20+ miners | 1,323 | 200 | 264,600 | 0.08 | 22,050.00 | $57.83 | $1,275,151.50 |
| *Training records (Clerk)* | | | | | | | |
| 1-5 miners | 5,916 | 50 | 295,800 | 0.05 | 14,790.00 | $34.89 | $516,023.10 |
| 6-19 miners | 3,633 | 100 | 363,300 | 0.05 | 18,165.00 | $34.89 | $633,776.85 |
| 20+ miners | 1,323 | 200 | 264,600 | 0.05 | 13,230.00 | $34.89 | $461,594.70 |
| ***Subtotal (Rounded)*** | ***10,872*** |  | ***1,847,400*** |  | ***123,160*** |  | ***$6,062,859*** |

Note: The total number of respondents do not correspond to the sum of respondents from each cost item because the same respondents carry out both activities.

**II-6. Independent Contractor Training**

Since the production-operators are ultimately responsible for compliance, MSHA assumes that the recordkeeping relating to training plans will be carried out by the production-operators. Hence, there is no separate costs for independent contractor training.

**Hour Burden Summary**

The annual respondent hour and cost burden is summarized in the Summary Totals table below.

Table 12-15. Estimated Annual Respondent Hour and Cost Burden, Summary Totals

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Activity** | **Number of Respondents** | **Number of Responses per Respondent** | **Total Responses** | **Average Burden (Hours)** | **Total Burden (Hours)** | **Hourly Wage Rate** | **Total Burden Cost** |
| *I. Training Plans* | | | | | | | |
| I-1. Develop training plans | 10,872 |  | 3,260 |  | 5,484.00 |  | $317,139.72 |
| I-2. Submit proposed training plans to MSHA and notify miners or miners’ representatives | 130 |  | 13 |  | 2.60 |  | $90.71 |
| I-3. Provide proposed training plans to miners or miners’ representatives | 3,260 |  | 3,260 |  | 326.00 |  | $11,374.14 |
| I-4. Miners or miners’ representatives submit written comments on training plans | 1 |  | 1 |  | 2.00 |  | $77.84 |
| I-5. Provide approved training plans to miners or miners’ representatives | 130 |  | 130 |  | 13.00 |  | $453.57 |
| I-6. Submit appeals for MSHA decision | 1 |  | 1 |  | 4.00 |  | $231.32 |
| I-7. Make training plans available for inspection and examination | 10,872 |  | 10,872 |  | 1,087.20 |  | $37,932.41 |
| *II. Training Records* | | | | | | | |
| II-1. New miner training | 5,979 |  | 14,620 |  | 974.67 |  | $47,980.40 |
| II-2. Newly hired experienced miner training | 6,087 |  | 20,676 |  | 1,378.40 |  | $67,855.19 |
| II-3. new task training – Reassigned tasks | 10,328 |  | 175,500 |  | 11,700.00 |  | $575,961.75 |
| II-3. new task training - Changes in assigned tasks | 10,328 |  | 175,500 |  | 11,700.00 |  | $575,961.75 |
| II-4. Annual refresher training | 10,872 |  | 24,390 |  | 1,626.00 |  | $80,043.92 |
| II-5. Site-specific hazard awareness training | 10,872 |  | 1,847,400 |  | 123,160.00 |  | $6,062,858.90 |
| ***Total (Rounded)*** | ***10,872*** |  | ***2,275,623*** |  | ***157,458*** |  | ***$7,777,962*** |

Note: The total number of respondents is not a sum of respondents from each cost category. It corresponds to the number of affected mines.

**13. Provide an estimate for the total annual cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden already reflected on the burden worksheet).**

* **The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life) and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.**
* **If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collections services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.**
* **Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.**

**Capital and Start-up Costs**: There are no capital and start-up costs.

**Operating and Maintenance Costs**:

1. **Training Plans**

**I-2. Submit Proposed Training Plans to MSHA** **and Notify Miners or Miners’ Representatives**

If a training plan does not include the minimum information specified under 30 CFR 46.3 an operator may submit a plan for MSHA approval. Of the 130 proposed plans submitted to MSHA, 10 percent (or 13 plans) are submitted by mail. MSHA estimates that a plan is 6 pages, copy costs are $0.15 per page, and postage, if applicable, is $2.00. Plans submitted by email are assumed to have no burden cost.

The operator must also notify miners or their representatives when they submit a plan for Regional Manager approval under this section. MSHA assumes for each of the 130 proposed plans, all 6 pages of the training plan will be posted at the mine, at a cost of $0.15 per page.

Table 13-1. Estimated Annual Respondent Recordkeeping Cost Burden, Submit Proposed Training Plans to MSHA and Notify Miners or Miners’ Representatives (30 CFR 46.3(c))

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Cost components** | **Number of Responses (Plans)** | **Number of Units per Response** | **Units** | **Unit Cost** | **Cost to Recordkeepers** |
| Copy pages of training plan for MSHA approval | 13 | 6 | 78 | $0.15 | $11.70 |
| Postage | 13 | 1 | 13 | $2.00 | $26.00 |
| Copy pages of training plan for miners or their representatives | 130 | 6 | 780 | $0.15 | $117.00 |
| ***Subtotal (Rounded)*** | ***130*** |  | ***871*** |  | ***$155*** |

Note: The total number of responses is not a sum of responses from each cost category. It corresponds to the number of plans from affected mines.

**I-3. Provide Proposed Training Plans to Miners or Miners’ Representatives**

The operator must provide the miners’ representative, if any, with a copy of the training plan before the plan is implemented or submitted. At mines where no miners’ representative has been designated, a copy of the plan must be posted at the mine, or a copy must be provided to each miner. MSHA estimates that 3,260 mines that develop or revise training plans are affected by this provision annually, and each mine will post a copy of the proposed plan instead of providing additional copies to miners. A proposed plan is estimated to have 6 pages and copy costs are $0.15 per page.

Table 13-2. Estimated Annual Respondent Recordkeeping Cost Burden, Provide Proposed Training Plan to Miners or Miners’ Representatives (30 CFR 46.3(d))

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Cost components** | **Number of Responses (Plans)** | **Number of Units per Response** | **Units (Pages)** | **Unit Cost** | **Cost to Recordkeepers** |
| Copy pages of a proposed plan | 3,260 | 6 | 19,560 | $0.15 | $2,934.00 |
| ***Subtotal (Rounded)*** | ***3,260*** |  | ***19,560*** |  | ***$2,934*** |

**I-4. Miners or Miners’ Representatives Submit Written Comments on Training Plans**

Within 2 weeks following the receipt or posting of the training plan before implementation or submission, miners or their representatives may submit written comments on the plan to the operator, or to MSHA. Over the last 3 years, MSHA has not received any written comments. In order to recognize that this may occur in the future, MSHA estimates that it could receive one written comment per year. Postage costs to deliver written comments are estimated at $2.00.

Table 13-3. Estimated Annual Respondent Recordkeeping Cost Burden, Miners or Miners’ Representatives Submit Written Comments on Training Plan (30 CFR 46.3(e))

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Cost components** | **Number of Responses (Comments)** | **Number of Units per Response** | **Units** | **Unit Cost** | **Cost to Recordkeepers** |
| Post written comments | 1 | 1 | 1 | $2.00 | $2.00 |
| ***Subtotal (Rounded)*** | ***1*** |  | ***1*** |  | ***$2*** |

**I-5. Provide Approved Training Plans to Miners or Miners’ Representatives**

This provision requires the operator to provide the miners’ representative, if any, with a copy of the approved training plan within one week of approval. At mines where no miners’ representative has been designated, the operator must post a copy of the plan at the mine site or provide a copy to each miner within one week of approval.

The mines affected by this provision are those that submit plans to MSHA for approval under 30 CFR 46.3(c). MSHA estimates that operators submit 130 training plans to MSHA for approval. On average, a plan is estimated to be 6 pages, copying costs are $0.15 per page, and postage is $2.00.

Table 13-4. Estimated Annual Respondent Recordkeeping Cost Burden, Provide Approved Training Plans to Miners or Miners’ Representatives (30 CFR 46.3(g))

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Cost components** | **Number of Responses (Plans)** | **Number of Units per Response** | **Units** | **Unit Cost** | **Cost to Recordkeepers** |
| Copy pages of an approved plan | 130 | 6 | 780 | $0.15 | $117.00 |
| Postage | 130 | 1 | 130 | $2.00 | $260.00 |
| ***Subtotal (Rounded)*** | ***130*** |  | ***910*** |  | ***$377*** |

Note: The total number of responses do not correspond to the sum of responses from each cost item because the two cost items are part of the same activity.

**I-6. Submit Appeals for MSHA Decision**

An operator may appeal an MSHA decision concerning an approved training plan. Over the last 3 years, MSHA has not received any appeals. In order to recognize that this may occur in the future, MSHA estimates that it could receive one appeal per year. The costs for postage to mail the written appeal are estimated to be $2.00.

Table 13-5. Estimated Annual Respondent Recordkeeping Cost Burden, Submit Appeals for MSHA Decision (30 CFR 46.3(h))

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Cost components** | **Number of Responses (Appeals)** | **Number of Units per Response** | **Units** | **Unit Cost** | **Cost to Recordkeepers** |
| Post an appeal | 1 | 1 | 1 | $2.00 | $2.00 |
| ***Subtotal (Rounded)*** | ***1*** |  | ***1*** |  | ***$2*** |

**I-7. Make Training Plans Available for Inspection and Examination**

The operator must make available a copy of the current training plan for inspection by MSHA and for examination by miners and their representatives. MSHA estimates that all 10,872 mines covered by part 46 would need to make plans available for inspection or examination, on average, once annually. The copying costs are $0.15 per page and 6 pages are copied.

Table 13-6. Estimated Annual Respondent Recordkeeping Cost Burden, Make Plans Available for Inspection and Examination (30 CFR 46.3(i))

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Cost components** | **Number of Responses (Plans)** | **Number of Units per Response** | **Units (Pages)** | **Unit Cost** | **Cost to Recordkeepers** |
| Copy pages of an approved plan | 10,872 | 6 | 65,232 | $0.15 | $9,784.80 |
| ***Subtotal (Rounded)*** | ***10,872*** |  | ***65,232*** |  | ***$9,785*** |

1. **Training Records**

MSHA estimates that a clerical person makes 2 copies for each training record:

* New miner training (30 CFR 46.5)
* Newly hired experienced miner training (30 CFR 46.6)
* New task training - Reassigned tasks (30 CFR 46.7)
* New task training – Changes in assigned tasks (30 CFR 46.7)
* Annual refresher training (30 CFR 46.8)
* Site-specific hazard awareness training (30 CFR 46.11)

MSHA assumes that copies are $0.15 per page and the record is one page.

Table 13-7. Estimated Annual Respondent Recordkeeping Cost Burden, Training Records (30 CFR 46.9)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Cost components** | **Number of Responses (Records)** | **Number of Units per Response** | **Units (Pages)** | **Unit Cost** | **Cost to Recordkeepers** |
| New miner training records | 7,310 | 2 | 14,620 | $0.15 | $2,193.00 |
| Newly hired experienced miner training records | 10,338 | 2 | 20,676 | $0.15 | $3,101.40 |
| New task training records - reassigned tasks | 87,750 | 2 | 175,500 | $0.15 | $26,325.00 |
| New Task Training Records - Changes in Assigned Tasks | 87,750 | 2 | 175,500 | $0.15 | $26,325.00 |
| Annual refresher training records | 12,195 | 2 | 24,390 | $0.15 | $3,658.50 |
| Site-specific hazard awareness training records | 923,700 | 2 | 1,847,400 | $0.15 | $277,110.00 |
| ***Subtotal (Rounded)*** | ***1,129,043*** |  | ***2,258,086*** |  | ***$338,713*** |

**Recordkeeping Cost Burden Summary**

The total annual cost burden to respondents or recordkeepers is summarized in the Summary Totals table below.

Table 13-8. Estimated Annual Respondent Recordkeeping Cost Burden, Summary Totals

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Cost components** | **Number of Responses** | **Number of Units per Response** | **Units** | **Unit Cost** | **Cost to Recordkeepers** |
| *I. Training plans* | | | | | |
| I-2. Submit proposed training plans to MSHA and notify miners and miners’ representatives | 130 |  | 871 |  | $154.70 |
| I-3. Provide proposed training plans to miners or miners’ representatives | 3,260 |  | 19,560 |  | $2,934.00 |
| I-4. Miners or miners’ representatives submit written comments on training plans | 1 |  | 1 |  | $2.00 |
| I-5. Provide approved training plans to miners or miners’ representatives | 130 |  | 910 |  | $377.00 |
| I-6. Submit appeals for MSHA decision | 1 |  | 1 |  | $2.00 |
| I-7. Make training plans available for inspection and examination | 10,872 |  | 65,232 |  | $9,784.80 |
| *II. Training Records* | 1,129,043 |  | 2,258,086 |  | $338,712.90 |
| ***Total (Rounded)*** | ***1,143,437*** |  | ***2,344,661*** |  | ***$351,967*** |

**14. Provide estimates of annualized costs to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information. Agencies may also aggregate cost estimates from Items 12, 13, and 14 in a single table.**

Table 14-1. Federal Hourly Wage Rates

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Occupation** | **Occupation Code** | **Average Wage Rate** | **Benefit and Overhead Multiplier [a]** | **Loaded Hourly Wage Rate** |
|  |  | **A** | **B** | **A x B** |
| GS-12 Inspector [b] | 1822 | $47.55 | 1.586 | $75.41 |
| GS-13 Training Specialist [c] | 1822 | $55.85 | 1.586 | $88.58 |

Note: Hourly wage rates developed from Office of Personnel Management (OPM) September 2023 FedScope Employment Cube, <http://www.fedscope.opm.gov/>.

[a] Benefit and overhead multiplier = 1 + (MSHA personnel benefits, travel and transportation, and rental expenses divided by MSHA personnel compensation) = (1+ ((76,679+20+5,309+5,932+17,577+71) / 180,071) (FY 2024 budget submission, use FY2023 Revised Enacted Budget: <https://www.dol.gov/sites/dolgov/files/general/budget/2024/CBJ-2024-V2-13.pdf>).

[b] Data search qualifiers were: Agency = DLMS, Occupation = 1822 (Mine Safety and Health Inspection), Work Schedule = Full-Time, Salary Grade = GS-12, Measure = Average Salary. The hourly wage is the annual salary divided by 2,087. In order to include the cost of benefits and overhead, MSHA multiplied the average annual salary by a Federal benefit and overhead multiplier for MSHA of 1.586. Rate equals $75.41 = ($99,228 / 2,087 x 1.586).

[c] Data search qualifiers were: Agency = DLMS, Occupation = 1822 (Mine Safety and Health Inspection), Work Schedule = Full-Time, Salary Grade = GS-13, Measure = Average Salary. The hourly wage is the annual salary divided by 2,087. In order to include the cost of benefits and overhead, MSHA multiplied the average annual salary by a Federal benefit and overhead multiplier for MSHA of 1.586. Rate equals $88.58 = ($116,560 / 2,087 x 1.586).

MSHA’s Educational Field and Small Mine Services reviews and may approve any training plans submitted under the part 46 rule. On average, 130 plans were submitted annually. Of these, 118 plans were submitted from operations employing 1 to 19 miners and 12 from operations employing 20 or more miners. Also, MSHA estimates that a training specialist spends an average of 2 hours to review plans submitted by operations employing 1 to 19 miners and 4 hours for operations employing 20 or more miners. For 2023, the average grade and salary costs of a training specialist is GS 13 at $88.58 per hour, including benefits.

Table 14-2. Estimated Annual Federal Hour and Cost Burden, Review Training Plans (30 CFR 46.3(c))

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Activity (Occupation)** | **Number of Responses (Plans)** | **Average Burden (Hours)** | **Total Burden (Hours)** | **Hourly Wage Rate** | **Total Burden Cost** |
| *Review of training plans (GS-13 Training Specialist)* | | | | | |
| 1-19 miners | 118 | 2 | 236.00 | $88.58 | $20,904.88 |
| 20+ miners | 12 | 4 | 48.00 | $88.58 | $4,251.84 |
| ***Subtotal (Rounded)*** | ***130*** |  | ***284*** |  | ***$25,157*** |

On average, MSHA estimates that the time an inspector spends annually to review part 46 training records and plans per mine visit is 15 minutes at operations employing 1 to 5 miners, 30 minutes at operations employing 6 to 19 miners, and 1 hour at operations employing 20 or more miners. MSHA estimates that the number of affected mines is: 5,916 operations employ 1 to 5 miners, 3,633 operations employ 6 to 19 miners, and 1,323 operations employ 20 or more miners. For 2023, the average grade and salary costs of an inspector is GS 12 at $75.41 per hour, including benefits.

Table 14-3. Estimated Annual Federal Hour and Cost Burden, Review Training Records (30 CFR 46.9)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Activity (Occupation)** | **Number of Responses (Records)** | **Average Burden (Hours)** | **Total Burden (Hours)** | **Hourly Wage Rate** | **Total Burden Cost** |
| *Review of training records (GS-12 Inspector)* | | | | | |
| 1-5 miners | 5,916 | 0.25 | 1,479.00 | $75.41 | $111,531.39 |
| 6-19 miners | 3,633 | 0.50 | 1,816.50 | $75.41 | $136,982.27 |
| 20+ miners | 1,323 | 1.00 | 1,323.00 | $75.41 | $99,767.43 |
| ***Subtotal (Rounded)*** | ***10,872*** |  | ***4,619*** |  | ***$348,281*** |

**Federal Burden Summary**

The total annual cost to the Federal government is summarized in the Summary Totals table below.

Table 14-4. Estimated Annual Federal Hour and Cost Burden, Summary Totals

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Activity** | **Number of Responses** | **Average Burden (Hours)** | **Total Burden (Hours)** | **Hourly Wage Rate** | **Total Burden Cost** |
| Review Training Plans | 130 |  | 284.00 |  | $25,156.72 |
| Review Training Records | 10,872 |  | 4,618.50 |  | $348,281.09 |
| ***Total (Rounded)*** | ***11,002*** |  | ***4,903*** |  | ***$373,438*** |

**15. Explain the reasons for any program changes or adjustments.**

Respondents: The estimated annual number of respondents decreased from 10,996 to 10,872.

Responses: The estimated annual number of responses increased from 1,135,343 to 2,275,623 due to an increase in the number of large mines, which produce more records, and due to a change in methodology as it pertains to counting responses when multiple occupations carry out related activities. In past versions of this ICR, those activities were counted as a single response. In this ICR, they are counted as multiple responses.

Time Burden: The estimated annual time burden increased from 155,964 hours to 157,458 hours due to an increase in the number of large mines.

Burden Costs: The estimated annual burden costs increased from $6,886,193 to $7,777,962 due to an increase in the number of large mines and an increase in wages.

Other Burden Costs: The estimated annual other burden costs increased from $348,531 to $351,967.

Federal Hours: The estimated annual federal hours increased from 4,829 to 4,903 due to an increase in the number of large mines, which produce more records in need of review.

Federal Costs: The estimated annual federal costs increased from $308,955 to $373,438 due an increase in Federal wages.

Table 15-1. Summary of Changes

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Previous ICR** | **Current ICR** | **Difference** |
| Number of Respondents | 10,996 | 10,872 | -124 |
| Number of Responses | 1,135,343 | 2,275,623 | 1,140,280 |
| Annual Time Burden | 155,964 | 157,458 | 1,493 |
| Annual Burden Costs | $6,886,193 | $7,777,962 | $891,769 |
| Annual Other Burden Costs | $348,531 | $351,967 | $3,436 |
|  |  |  |  |
| Federal Hours | 4,829 | 4,903 | 74 |
| Federal Costs | $308,955 | $373,438 | $64,483 |

**16. For collections of information whose results will be published, outline plans for tabulation, and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.**

MSHA does not intend to publish the results of this information collection.

**17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.**

MSHA is not seeking approval to not display the expiration date on any associated form.

**18. Explain each exception to the topics of the certification statement.**

MSHA does not seek any exceptions.

**B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS**

As statistical analysis is not required by the regulation, questions 1 through 5 do not apply.

1. For all wage rates, including Federal wage rates, MSHA uses the relevant precision throughout the calculation to avoid compound rounding errors and rounds at the final rate value. Displayed intermediate calculation values are presented to explain the calculation and are representative, but the final rate value reflects the correct rounding and final estimate. [↑](#footnote-ref-3)
2. To obtain OEWS data, follow BLS’s directions in its Frequently Asked Questions: “E. How to get OEWS data. 4. What are the different ways to obtain OEWS estimates from this website?” at <https://www.bls.gov/oes/oes_ques.htm>. The average wage rate is calculated as the employment-weighted average of hourly mean wages for the occupation. [↑](#footnote-ref-4)
3. The benefit multiplier comes from BLS Employer Costs for Employee Compensation accessed by menu at <http://data.bls.gov/cgi-bin/srgate> or directly at <http://download.bls.gov/pub/time.series/cm/cm.data.0.Current>. Insert the data series CMU2030000405000D and CMU2030000405000P, Private Industry Total benefits for Construction, extraction, farming, fishing, and forestry occupations, which is divided by 100 to convert to a decimal value. MSHA uses the latest 4-quarter moving average to determine what percent of total loaded wages are benefits. MSHA computes the benefit multiplier with a number of detailed calculations, but it may be approximated with the formula 1 + (benefit percentage/(1-benefit percentage)). [↑](#footnote-ref-5)
4. Wage inflation is the change in Series ID: CIS2020000405000I; Seasonally adjusted; Series Title: Wages and salaries for Private industry workers in Construction, extraction, farming, fishing, and forestry occupations, Index. (<https://data.bls.gov/cgi-bin/srgate> ; Inflation Multiplier = (Current Quarter Cost Index Value / OEWS Wage Base Quarter Index Value). [↑](#footnote-ref-6)
5. MSHA uses an overhead rate of 1 percent. The mining environment generally involves very little overhead, especially costs associated with workers engaged in administrative or clerical tasks. [↑](#footnote-ref-7)